

### REMARKS

In response to the Office Action mailed July 12, 2004, Applicants respectfully request reconsideration.

As a preliminary matter, Applicants note with appreciation the indication of allowable subject matter in claims 1-7.

Claim 5 have been rewritten as an independent claim with no narrowing of its scope.

Claims 1-7 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the Office Action pointed to terms that appear in the claims allegedly without clear antecedent basis. Applicants have corrected the claims to provide appropriate antecedent basis and all of claims 1-7 should now be clear enough to satisfy the statute.

Claims 1-7 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. Specifically, the Office Action alleges that the specification does not adequately describe how the counting cells are assembled or distributed in groups as recited in claim 1. Further, the Office Action questions how the cells are coupled to the parity calculator and questions whether the parity calculator is the same as the claimed parity counter. The Office Action also questions what the structure of the parity calculator is. The Office Action also questions how the formula  $2^{n+1}-(n+2)$  was arrived upon for the number of counting cells. Finally, the Office Action asks if this formula, in both the specification and the claims, contains an error. Applicants respectfully traverse these rejections and provides answers to the questions set forth in the Office Action below.

Assembling counting cells to form a single counter as represented in Figure 6 of the present invention is conventional. The present invention uses counting cells which are associated in several groups and respectively connected to a parity calculator. This is described at page 12, lines 21-30 in a manner sufficient to enable one of skill in the art to make and use the invention.

Addressing the continuous cells is described at page 13, lines 7-19 in connection with the description of Figures 7 and 8. As noted at page 13, lines 20-29, the cells do not necessarily need to be clocked.

The Office Action refers to a "claimed parity counter". Applicants can not locate this language in the claims and are therefore unclear as to the question. If a question remains

concerning this language, Applicants respectfully request that the Examiner contact the undersigned to clarify the question.

An example of a parity calculator that may be used in connection with the present invention is described at page 14, lines 8-12. A schematic block diagram of the parity calculator is shown in Figure 9. Applicants believe that this disclosure is sufficient to satisfy the enablement requirement.

With respect to the formula  $2^{n+1}-(n+2)$ , this formula is correct. As shown in the example of Figure 7, the first group (A3) contains seven cells, the second group (A2) contains three cells, and the third group (A1) contains one cell. The total number of counting cells is then eleven, to form a counter over 3 bits, B1, B2, and B3. Hence,  $n=3$  and applying the formula gives an answer of eleven cells. Thus, the formula is correct.

The Office Action noted that claim 1 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. §112, second paragraph, as set forth in the Office Action. In view of the corrections to claim 1 and the above remarks, the rejections under 35 U.S.C. §112, first and second paragraphs have been overcome. As a result, claim 1 should now be in allowable condition.

Claims 2-7 depend from claim 1 and are allowable for at least the same reasons.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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Docket No.: S1022.81056US00  
Date: November 12, 2004  
**x11/12/04x**